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Security Council

Fifty-seventh year

Provisional

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Wednesday, 23 October 2002, 10 a.m.

New York

President:	Mr. Belinga-Eboutou	(Cameroon)
Members:	Bulgaria	Mr. Tafrov
	China	Mr. Jiang Jiang
	Colombia	Mr. Valdivieso
	France	Mr. Levitte
	Guinea	Mr. Traoré
	Ireland	Mr. Ryan
	Mauritius	Mr. Koonjul
	Mexico	Mr. Aguilar Zinser
	Norway	Mr. Traavik
	Russian Federation	Mr. Konuzin
	Singapore	Mr. Yap
	Syrian Arab Republic	Mr. Wehbe
	United Kingdom of Great Britain and Northern Ireland	Mr. Thomson
	United States of America	Mr. Williamson

Agenda

The situation in Bosnia and Herzegovina

Letter dated 18 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1176).

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.

02-65645 (E)

The meeting was called to order at 10.40 a.m.

Adoption of the agenda

The agenda was adopted.

The situation in Bosnia and Herzegovina

Letter dated 18 October 2002 from the Secretary-General addressed to the President of the Security Council (S/2002/1176)

The President (*spoke in French*): I should like to inform the Council that I have received letters from the representatives of Bosnia and Herzegovina, Denmark, Japan, Slovenia, Ukraine and Yugoslavia, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Kusljugić (Bosnia and Herzegovina) took a seat at the Council table; Ms. Løj (Denmark), Mr. Haneda (Japan), Mr. Kira (Slovenia), Mr. Kuchinsky (Ukraine) and Mr. Šahović (Yugoslavia) took the seats reserved for them at the side of the Council Chamber.

The President (*spoke in French*): In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Lord Paddy Ashdown, High Representative for Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Lord Ashdown to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations and in the absence of objection, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

There being no objection, it is so decided.

I invite Mr. Klein to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them photocopies of a letter dated 18 October 2002 from the Secretary-General addressed to the President of the Security Council transmitting a report from the High Representative for Bosnia and Herzegovina, which will be issued as document S/2002/1176.

At this meeting, members of the Council will hear briefings by His Excellency Lord Paddy Ashdown, High Representative for Bosnia and Herzegovina, and by Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

There will be no list of speakers for this meeting. To make this meeting an interactive one, I would appeal to those who wish to take the floor not to make prepared statements, but to address questions to the speakers after hearing their briefings. I will give the floor to Council members and non-Council members who wish to ask questions. Council members may raise their hands to indicate their wish to speak. Non-Council members should come forward to register with the Secretariat.

I now give the floor to Lord Paddy Ashdown.

Lord Ashdown: Thank you, Mr. President, for providing me this opportunity. This is my first report to the Security Council since I took over as High Representative for Bosnia and Herzegovina at the end of May from my predecessor, Wolfgang Petritsch.

I would like to set out for the Council this morning my impressions of my first few months, my priorities for my term of office, what the Council can expect of us, and what we would ask of the Council and of the Governments which support and pay for our work. But, before I do so, let me say how pleased I am to be able to appear here alongside my good friend and close colleague, Jacques Paul Klein, whose last report

this is before the United Nations Mission in Bosnia and Herzegovina (UNMIBH) departs in a few weeks' time.

The departure of UNMIBH will mark the end of a decade-long effort to keep the peace in a small European country, an effort which has cost the lives of 272 United Nations personnel. It has been, I am sure all around this table know, an intensely difficult and tough task. But when the United Nations leaves, it will do so, I believe, with its duty done and its head held high. In my judgement, this is one of the unsung successes — or too little-sung successes. I, for one, would like to pay tribute to the work of those who have served Bosnia and Herzegovina under the flag of the United Nations, and — and here I know I speak for the people of Bosnia and Herzegovina as a whole — to the immense and incalculable contribution that Jacques Klein personally has made through his leadership, his tenacity, and his sheer ability — his sometimes frightening ability — to get things done. I would also like to use this occasion, if I may, to thank him personally for the wise advice and unfailing support he has given me.

Next month it will be seven years since the Bosnian war ended: an age ago. At the time, members will recall, the sceptics were legion. The agreement would not hold, they warned. Our peacekeepers would be sucked into a guerrilla war. The refugees would never go home; were we not stupid to even suggest they might? Belgrade and Zagreb would exercise a baleful influence as far ahead as anyone could conceivably see. Bosnia, they said, like the rest of the Balkans, was a basket case. We were doomed to fail.

Well, no one would claim the job has been done completely. There is a lot more to do, and we have to move a lot faster. But it is worth reminding ourselves just how far we have come since those days when Bosnia loomed all too large in the business of the Council.

Within Bosnia and Herzegovina, the agreement has held. The peace has now lasted nearly twice as long — let me remind the Council — as the war. Come to Sarajevo today, and you will find in many places a lively European capital in place of the hellhole of 1992 to 1995.

As peace has taken root, the number of Stabilization Force (SFOR) troops needed to protect it has fallen steadily, from 60,000 then to some 18,000 today. It is about to fall still further, to around 12,000. And let me just say that those troops continue to do a vital job and to do it superbly. They deserve all our gratitude. We could not have made the progress we have on civilian peace implementation without them.

We have made progress in downsizing the local armed forces, something I shall touch on in a moment: 430,000 men were under arms locally when the Dayton Agreement was signed. Today that figure is in the order of 22,000 — still too high, but a remarkable drop.

Thanks in very large measure to the work of the United Nations, through the Office of the United Nations High Commissioner for Refugees (UNHCR), nearly a million refugees — let me repeat this, because it is sometimes misunderstood — nearly a million refugees have returned to their homes, over 350,000 of them minority returns, and around 60 per cent of locally-registered property claims have been resolved. It is not too much of an exaggeration to say that we invented a new human right in Bosnia and Herzegovina. Perhaps it should be known as the Bosnian right. Wars will never be the same again as a result. It is the right of refugees to return home after war.

Thousands of homes have been repaired. Electricity generation is now at 90 per cent of the pre-war levels. Ah, said the sceptics six years ago, but you will never have real peace in Bosnia without democracy in Belgrade and Zagreb, and there is little prospect of that, they warned. But we now do indeed have democracy in Belgrade and Zagreb. The Tudjman regime is gone, and Croatia is making great strides towards integration within the European Union (EU) and is playing an increasingly constructive part in the creation of a stable peace in Bosnia as well.

Milosevic is on trial in The Hague, and some of us have been there to give evidence against him. It is a great pity that Milosevic has not been joined in The Hague by Karadzic and Mladic. Their continued liberty, needless to say, seriously undermines our efforts, not least to establish the rule of law in Bosnia and Herzegovina. It is high time — it is beyond time — seven years after Dayton, that they are caught and brought to justice.

So don't get me wrong: the region is still fragile, and parts of it are still prone to topple into crisis. Bosnia and Herzegovina is still fragile. The process of reconciliation is far from over. Healing after war, as we

know in Britain, in my own home country of Northern Ireland, takes time.

Progress in the Balkans is often frustrating — two steps forward, one step back. But we must not mistake slow progress for no progress. If you could take a snapshot of Bosnia and Herzegovina in 1996, and compare it to now, you would see the difference; and you would see a further improvement in the years 2003, 2004 and 2006. So we need to keep our eye on the big picture. And we need to understand it clearly.

Which is why I, how shall we say, raised an eyebrow at some of the commentary, much of it offered from several thousand miles away, on the results of our recent elections in Bosnia and Herzegovina. Let me say a word about those elections. First, I think it is a shame that it was not more widely acknowledged that these were the first elections to be run by the Bosnians themselves. It should also be noted that they did a first-class job, quite as good — some would argue, perhaps even better — than was previously done by the international community. The Office for Democratic Institutions and Human Rights (ODIHR) has testified to the way the Bosnians carried out that task, one of the most difficult jobs any State has to do, let alone a mere six years after a terrible war. Those elections were not only conducted efficiently, but were also carried out with less violence in a Bosnian election than, perhaps, in elections in, again, my own home country of Northern Ireland.

Secondly, I do not dispute that the turnout was disappointing. It was, which reflected, I believe, a widespread frustration with the political process in Bosnia and Herzegovina and — perhaps we in the international community should look to ourselves for this — a certain fatigue born of six major elections in six years. I wonder what the turnout would have been in our countries if we had had an election every two years for the last six; perhaps it would not have reached even 55 per cent.

As to the results, I have read many newspaper headlines announcing a return to nationalism in Bosnia and Herzegovina. "Back to the Future", read one; "Forward to the Past", said another. I just do not think that is accurate. Of the three nationalist parties, the votes of two did not go up; they went down. And the party that did best of all, the SNSD — the Independent Social Democratic Party — is a validly non-nationalist party. It was the big winner of the night.

So I appeal to the Council, just as I have appealed to the parties in Bosnia and Herzegovina, not to misread the outcome of these elections. What we witnessed was a protest vote — or, given the low turnout, perhaps we should call it a protest non-vote — against politics and politicians in general and against the slow pace of reform. Again, I would say that one does not have to go to Bosnia and Herzegovina to find low turnouts, because people are fed up with politicians. I know; I was one.

I travelled the length and breadth of Bosnia and Herzegovina in the run-up to the elections. I heard the message from the voters myself at public meeting after public meeting, on radio talk show after radio talk show. First, let me tell the Council what that message was not. It was not "Give us nationalism". It was "Give us a future".

Unlike their counterparts in Central and Eastern Europe, the citizens of Bosnia and Herzegovina did not punish their leaders for delivering too much reform; they punished them for delivering too little and not fast enough. These elections were a cry for help.

Bosnia and Herzegovina's new Government, whatever it is, needs to hear that cry very, very clearly, and so do we in the international community. Because, whatever the precise makeup of the new Governments in Bosnia and Herzegovina, the challenges facing the country are the same today as they were before polling day, the same this month as they were last. We still face the huge challenge of establishing the rule of law. We still face the huge challenge of creating jobs. We still face the immense challenge of delivering effective government and stable institutions and of raising standards in public life. In other words, we still face the challenge of "making Bosnia and Herzegovina work" — my slogan for the next period of my mandate. The only thing that has changed is that those challenges have now become even more urgent.

I said when I took up my post that my priorities were to be "first justice, then jobs, through reform", and they still are. They are set out in the document that we have agreed on jointly with the Bosnia and Herzegovina authorities. The document is called "Justice and Jobs", and it identifies in precise terms what steps now need to be taken to give the people of Bosnia and Herzegovina the rule of law and a chance for employment.

We have made a start in establishing the rule of law. We have reorganized the international community presence in Bosnia and Herzegovina to reflect that priority, and we have begun to assemble the tools that we will need to assert the rule of law. We are setting up a new unit to tackle crime and corruption. We have established a new legal reform unit, headed and almost entirely staffed by Bosnians, to rewrite the Bosnian law. We have begun, with the authorities of Bosnia and Herzegovina, the long-overdue process of restructuring the country's court system at all levels and of ensuring that only honest judges and prosecutors administer the law. We had promised to have the High Judicial and Prosecutorial Council established in the autumn, and I am pleased to say it has been established and is now in place. We have established a special chamber in the State Court in Bosnia and Herzegovina and a special department in the Bosnia and Herzegovina Prosecutor's Office to tackle organized crime. I am determined that, whatever happens, it will be in place, operating and trying criminals by 31 December. That is fast progress, but it needs to be done.

In January, the European Police Mission will take over from the United Nations Mission in Bosnia and Herzegovina (UNMIBH). Once again, I am deeply grateful to Jacques Paul Klein and to UNMIBH for all they are doing to make sure that that happens as smoothly and as efficiently as possible. We have tough times ahead. But, thanks to my predecessors and to the immense work done by the United Nations, we have solid foundations upon which to build.

So we are making headway. But there is much more to do — and we must do it faster — before Bosnia and Herzegovina has a justice system that works. We now need to ratchet up our efforts by establishing in law the key outstanding pieces of legislation central to the pursuit of justice in Bosnia and Herzegovina. But if that is to be a success — and here comes the appeal — we need your Governments to provide us with the practical support that we will need to make it a success.

The centrepiece of our efforts is the new Court of Bosnia and Herzegovina. It will have to have the tools it needs to do the job, such as a new State criminal code and criminal procedure code, which we are about to present for enactment. There are other tools that the Court will need as well, for which we will have to look to the international community — tools such as the experts and the resources to implement the witness protection programmes, money-laundering programmes and asset forfeiture programmes that we need to put into operation, and the judges and prosecutors to mentor and guide local judges and prosecutors as they implement this new system of justice.

Let me remind the Council that Bosnia and Herzegovina is now the first State in the region to have taken the step — so essential to a modern democracy — of separating those who make the laws from those who administer the laws. We will also need substantial international support if the local judges, prosecutors, police and court officials and defence bar are to be trained in the use of the new criminal code that we will be introducing shortly. And that is the kind of assistance that only the international community can provide.

But now we also need to open up a further front of reform: economic reform. Again, time is not on Bosnia's side. We will have to move quickly — painfully quickly — if we are to reform Bosnia's sclerotic economy. I shall put it another way: time is now Bosnia and Herzegovina's enemy. Aid is tapering off and debts are mounting, and foreign private investment is not increasing to fill that gap. A glance at the economic indicators shows that the patient is hovering between the serious and the critical lists. So we have no option but to sharply — I use the word again, perhaps even painfully — steepen the gradient of economic reform in Bosnia and Herzegovina. We will have to do things quickly, perhaps even roughly, to get the economy going. At this stage, speed will matter more than perfection. Our motto will have to be "The best is the enemy of the good".

We are making some headway already. Some important laws have been enacted in the past few months, including an amendment to the State law on civil aviation, laws on entity electricity, the Federation law on concessions, the entity law on banks, and the State veterinary law. But we will have to push even faster. Among other things, we need a single-budget, one-stop business registration system, driving a bulldozer through the tangle of bureaucracy that prevents businesses from being established in the legal sector and forces them into the grey economy.

But no amount of legislation will make people better off unless it is implemented. None of it will make one iota of difference if the whole way in which the Government operates destroys jobs instead of creating them, or if the way in which the Government

collects its revenues impoverishes public services and enriches criminals.

If the international community — and here I speak to my Bosnian colleagues — is to be expected to continue to support Bosnia and Herzegovina, and if the world's taxpayers are to continue to build new hospitals and schools, then they must know that they are subsidizing reform, not racketeers. Present estimates — conservative estimates, I am bound to say — are that around 600 million convertible marks — 300 million euros — are lost every year in customs fraud. That is one and a half times the entire State budget lost to corruption and smuggling. The equivalent of the entire annual budget of the State Border Service, around 30 million euros, is lost in just over a month through sales tax evasion. If the international community is to maintain its commitment to Bosnia and Herzegovina, that simply cannot continue.

That is why we have proposed replacing the corruption-prone sales taxes with a modern value-added tax system, operated, as it must be, at the State level. And that is why we have asked the European Commission to recommend how we must work with the Bosnia and Herzegovina authorities to reform the customs system to cut fraud and to boost revenue yield.

But there is no point giving more funds to weak central institutions, which is why we are also proposing changes to Bosnia's central Government, the Council of Ministers, to end the system of ethnic rotation, which produces a bizarre ministerial merry-go-round and institutionalizes instability where we can least afford it. We also propose giving the Chair — let us call him or her the Prime Minister, for the moment — a professional civil service to support the work that he or she does to complete that vital job. Here again, we will have to ask the international community to lend its assistance. Relatively small resources here will yield huge dividends in increasing the efficacy of the Bosnian Government later. These structural reforms, coupled with aggressive economic reforms, are the key steps to answering the question of how to make Bosnia and Herzegovina work. Whatever the makeup of the new Government, which is yet to be decided, my message will be the same: we will judge you not by what you said on the campaign trail, but by what you do in office. If you are serious about reform, as you say you are, now you have a chance to prove it.

Seven years after Dayton, Bosnia and Herzegovina is entering a crucial phase. The job we are trying to do can be done, but only if we remain committed and stay fiercely — and maybe even uncomfortably — focused. My approach as the High Representative will be to distinguish ruthlessly between those things that are truly essential and those that are simply desirable. The Office of the High Representative, with the executive power it wields, should focus on the first, and not the second. Our job now is to complete what we have set our hand to and to focus on the core remaining tasks. Justice, jobs and making Bosnia and Herzegovina work will be the core agenda, as I have described.

We will also need to press ahead with downsizing and reorganizing the armed forces to ensure that they become a force for stability, not for instability. As I have said, there has been progress in the last year, but we need to go further and faster if Bosnia and Herzegovina is to have the armed forces it can afford and if it is to develop the State-level dimension of security in defence matters so that the country can fulfil its commitments as a sovereign State and play its part in regional security, particularly within the context of Atlantic structures.

On refugee return the story is one, I believe, of quite remarkable, if unsung, success. We have to keep up those efforts through, and during, the course of 2003 if we are to be in a position, as I am determined that we shall be, successfully to hand this burden over to the authorities of Bosnia and Herzegovina as the end of next year. We need continued support and funding in the coming year to make that happen. In particular, we need to build the capacity of local institutions as they prepare to take over the main responsibilities for managing return.

I therefore cannot hide from the Council that it worries me that some countries, including some that have been our largest contributors in the past, are, in my view, prematurely scaling back their funding for refugee return next year, just as sustainable success is in sight. Let us be careful not to snatch defeat from the jaws of victory. I am determined, however, that we in the Office of the High Representative move towards handing over tasks to the people of Bosnia and Herzegovina at a much faster pace.

In order to provide the necessary focus and discipline to the efforts of the Office of the High

Representative, I have instructed my staff to draw up a mandate implementation plan — the author of which, in terms of the United Nations Mission in Bosnia and Herzegovina (UNMIBH), was Jacques Klein, whose lead we are following. The purpose of that plan will be to set out clearly and concisely, in language everybody can understand and with measurable benchmarks, what the core tasks of the Office of the High Representative are and how we propose to accomplish them. That document will be ready in time for the Peace Implementation Committee Steering Board meeting on 21 November. It will also drive not only our actions but also our internal structures.

We have to remember — and I think that sometimes some of my international colleagues in Bosnia and Herzegovina do not remember — that our task is not to create a first-world country in Bosnia and Herzegovina, but to bring the country to the point at which its peace rests on firm foundations; it no longer poses a threat to itself or its neighbours; and it becomes a dependable international and regional partner operating within the structures of a modern European State and firmly on course for integration, over time, into the European Union. Once we have achieved that it will be time for us to hand over that task to the people who should be doing it and who, I believe, have more than the capacity to do so, the people of Bosnia and Herzegovina themselves.

I very much welcome the fact that the European Union is taking on a steadily greater share of the burden within Bosnia and Herzegovina, as in the rest of the Balkan region. That is an important fact, and one that is perhaps best illustrated by the fact that I am, so-called, "double-hatted" to both the European Union and to the Security Council. But Bosnia and Herzegovina remains a team effort in which the entire international community is engaged and must stay engaged if we are to see it through, as I believe we now can, to success. That, if I may say, places a special obligation on Bosnia and Herzegovina's neighbours — especially on Croatia and the Federal Republic of Yugoslavia — to work actively for stability and reconciliation in Bosnia and Herzegovina and to show that full respect that Croatia has certainly shown, and that Belgrade increasingly does as well, to Bosnia and Herzegovina's sovereignty and territorial integrity.

In conclusion, even before 11 September 2001 the recent tragic history of the Balkans had reminded us of the dangers that failed, or failing, States could pose to the wider international community; how instability could be contagious; and how quickly someone else's problems could become everyone else's problems. We learned that lesson in the Balkans, and we must continue to show, in the Balkans and in Bosnia and Herzegovina, that we have not forgotten it.

But we have learned something else too from elsewhere on our European continent. In Central and Eastern Europe countries have remarkably transformed their prospects, by their own efforts, and with very considerable international support and involvement. Those countries now stand on the very threshold of joining the European Union.

We, together with the people of Bosnia and Herzegovina, have the chance to set Bosnia and Herzegovina firmly onto that same road and to give its people a second chance at the brighter future that they so cruelly missed a decade ago. Ultimately, of course, it will be up to the people of Bosnia and Herzegovina to seize that chance, to make the transition onto the path to Europe and to reach the point of no return. To do all those things will require continued funding; it will require a continued, though diminishing, military presence for some time; and it will require the continued commitment of qualified and dedicated people from the international community. It will require, above all, one other commodity: political will. That political will will be necessary to see this job through to success, success that is now, I believe, in our grasp, but only if we can find the measures and the political will, in the face of other crises in the world, to stay the course.

The President (*spoke in French*): I now give the floor to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of the United Nations Operations in Bosnia and Herzegovina.

Mr. Klein (*spoke in French*): I have the honour to describe for the members of the Security Council the progress made by the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in preparing to carry out the core functions of its mandate from now until the end of this year.

UNMIBH's work is about to come to an end; and the work of my excellent colleague and friend Paddy Ashdown has just begun. But our joint presence in the Council today underscores the primary responsibility of the Security Council in supervising the process of implementing the Dayton Peace Agreement. Our

presence here also sends a clear message to the people of Bosnia and Herzegovina, namely, that the international community intends to continue to remain committed to ensuring the full completion of the process that began in 1995.

(*spoke in English*)

In light of the recent elections, permit me to briefly comment on the current political situation as it affects United Nations Mission in Bosnia and Herzegovina (UNMIBH), before turning to the specific work of the Mission and the arrangements for transition to the European Union Police Mission (EUPM).

With respect to the results of the recent elections, this is not a time for pessimism or complacency. The strong showing of nationalist parties does not mean that the peace implementation process will stop. But it does present a more challenging political environment that will require strong intervention and continued commitment to keep Bosnia and Herzegovina on the path of reform.

I fully concur with the High Representative's assessment that voting for opposition parties that are called nationalist does not mean voting for ultra-nationalism in the style of Milosevic and Tudjman. There are three reasons for this: first, this was a protest vote against non-nationalist non-performance. Parties most closely associated with the disappointing Governments of the past two years were punished, regardless of their nationalist or non-nationalist status. Opposition parties of whatever political colour did well. In a time of severe economic downturn, this should not come as a surprise.

Secondly, all opposition parties campaigned on platforms of more, not less, reform. They correctly judged the mood of frustration and disillusion in an electorate that is fed up with criminality, corruption and inaction. In an indictment of the entire current political class of leaders, youth did not vote at all.

Thirdly, economic necessity and the realization that power can change through the ballot box has now started to temper the rhetoric of the nationalist parties. Pragmatists and reformers are emerging. Indeed, UNMIBH has received better cooperation from the "nationalist" authorities in the Republika Srpska entity and the Mostar area than from the non-nationalist coalition at the Federation Ministry of Interior level, where progress has been protracted and difficult.

But we should not be lulled by mere promises. Already, there are ominous signs of renewed political interference in the police forces. One of UNMIBH's key goals has been to draw a clear line between the role of political authorities and the apolitical role of members of law enforcement agencies. Laws clarifying this distinction have been adopted throughout the country. It is, therefore, of deep concern that some Ministers of Interior and members of political parties are seeking to exercise undue pressure on some of the police commissioners, who have been selected through open competition on the basis of professional competence and political neutrality. Recent threats against them and their families must draw the strongest condemnation.

The challenge for us all is to hold the newly elected politicians to their promises of reform. The High Representative has wisely chosen to focus on programmes, not parties, and has defined the essential steps that must be taken for Bosnia and Herzegovina to enter its European future. But he will require the strongest support to implement the reform agenda.

I am particularly gratified that the rule of law has been placed at the centre of the reform programme. As you are aware, UNMIBH was given a thin slice of the international mandate in Bosnia and Herzegovina. Our focus has been on police reform and restructuring, but this is just one element in the rule of law.

Reform of the judiciary and the entire legal system lags far behind and requires strong measures, which have only just begun. We cannot afford to have a common criminal space in Bosnia and Herzegovina, on the one hand, but many divided and dysfunctional legal and judicial jurisdictions, on the other.

Turning now to the progress of UNMIBH, I am pleased to say that, for us, the elections were an unqualified success. All local and international observers reported that the elections took place in conditions of full security. Nearly 1,100 International Police Task Force officers monitored local police through 561 joint and independent patrols. Local police planning and performance were outstanding. This achievement builds on the very impressive record of local police throughout the year in developing and implementing security plans for minority returns and

sensitive public events, such as religious gatherings, commemorations and major sports events.

The fact is that Bosnia and Herzegovina now has a lower general crime rate than many countries in Western Europe. This has underpinned the largest number of returns of refugees and displaced persons since the war. Security is no longer an impediment to return anywhere in the country.

Bosnia and Herzegovina is no longer the principal entry point into Europe for illegal migrants. Last month the State Border Service achieved 100 percent control of the land borders together with three international airports. The number of suspected illegal migrants has been reduced from nearly 25,000 in the year 2000 to a few hundred so far this year.

In other words, our success is not abstract — there are real results on the ground and in the wider region. This gives us confidence in passing the baton of police reform to a smaller and more specialized successor mission under the European Union. These achievements are based on the progressive completion of the six core programmes of our mandate implementation plan. All programmes are now in their final stages.

With respect to our core programme of police reform, on 18 October we began announcing final certification of the 16,832 local police officers, who in 1999 were only provisionally authorized to work in Bosnia and Herzegovina. This is the culmination of an exhaustive process in which every police officer has had to pass seven separate checks, including wartime background, professional performance, lawfulness of housing, verification of educational credentials, completion of compulsory training, proof of citizenship and a clear criminal record. At this stage, it appears that some 500 to 600 provisionally authorized officers may not be entitled to certification, mainly because of unlawful housing, false diplomas or wartime conduct. This is in addition to the 234 officers who have already been dismissed for misconduct or wartime background. Certification of the remainder will be completed by mid-November.

On police restructuring, I am pleased to report that three police administrations, Brcko district, the Republika Srpska and the Una Sana canton have received UNMIBH accreditation as meeting the basic standards of democratic policing. This means that local police change management teams have implemented the essential recommendations of our intensive systems analysis of their organizational structure and procedures. Accreditation of the remaining twelve police administrations is scheduled in November, providing that they meet all the necessary criteria. In this regard, I am concerned that police in the Western Herzegovina canton and in canton 10 continue to display discriminatory official insignia in defiance of the High Representative's directives. Accreditation for them is not possible under such circumstances.

UNMIBH's landmark project to minimize political interference in police work by establishing the post of an independent police commissioner chosen by open competition is in its final stage. Permanent police commissioners are in place in nine cantons and the process is almost complete in the Republika Srpska. The two difficult areas that remain are canton 10 and the Federation Ministry of the Interior where obstruction and delay compelled the High Representative to recently impose an independent selection process.

Facilitating the recruitment and deployment of police to areas where they are part of a minority ethnic group and improving the recruitment of women have been two of the most resource intensive projects undertaken by UNMIBH. Through fifteen intakes at the two police academies established by UNMIBH, twelve refresher courses for pre-war police and seventeen rounds of voluntary redeployment, almost ten per cent of the police forces (1,644 officers) are now from minority groups in each specific area. There are now 490 serving female police officers, with a further 235 female cadets still in training.

In fourteen out of fifteen different judicial districts in Bosnia and Herzegovina, our Criminal Justice Advisory Unit (CJAU) has completed a specialized training course for criminal investigation police to be able to improve the quality of their crime reports for use by prosecutors. CJAU has also made an invaluable contribution to court monitoring of sensitive trials.

I am also pleased to be able to report that this week marks the completion of our three-year project to establish, train and equip court police serving all 174 courts in the Federation. A special unit has also been trained for protection of judges and witnesses. In the Republika Srpska, the necessary legislation was passed

in July. Recruitment, training and deployment to serve 151 courts will be completed in November.

With the establishment of the State Information and Protection Agency (SIPA) and the appointment of its directors earlier this month, Bosnia and Herzegovina now has all the mechanisms and institutions to participate fully in the regional and international fight against terrorism and organized crime. From the situation three years ago, when police chiefs did not even talk with each other, we now have two multi-ethnic State-level institutions — SIPA and the SBS; a four-nation, soon to be five-nation Regional Task Force; and a fully functioning inter-entity and inter-cantonal police cooperation mechanism.

My major concern in this area is the practical problem of funding. While there are many competing pressures on the limited State budget, these fundamental crime-fighting institutions are too important to be allowed to fail or degrade through low and irregular salary payments. Indeed, together with an efficient customs service, they are the front line against corruption and the haemorrhaging of State revenue.

I would also commend the work of UNMIBH's Special Trafficking Operations Programme (STOP), comprising 50 IPTF monitors and 150 local police working full time against trafficking in human beings. Their work and their success have not been given the recognition they deserve. In the past year, 227 sex establishments have been identified and 147 have been forced to close. Over 740 raids have been conducted, some 2,140 women have been interviewed and 230 victims of trafficking have been assisted to go home.

The effectiveness of STOP has forced both traffickers and the STOP teams to adapt their operations. Our latest innovation has been to establish a rapid intervention force to enable victims to be removed from nightclubs quickly and taken to a safe house. These raids hinder bar owners from conducting their business whilst also acting as a deterrent to customers. But the problem of trafficking will not be resolved until it is taken seriously by local prosecutors and the judiciary. This is another area where weaknesses in the rule of law diminish the impact and effectiveness of police work.

Finally, with respect to our core mandate, I would note the substantive input of our public affairs unit to democratic policing and public accountability. An integral part of the accreditation process was the drafting of standard operating procedures for public affairs units to be established in all police administrations. I am also pleased to report that, by the end of this year, the Trust Fund for the Police Assistance Programme will have disbursed almost $16.5 million for police equipment and facilities, thus enabling the closure of the Trust Fund next year as part of UNMIBH's liquidation process.

Additionally, I am pleased to inform the Council that the priceless Sarajevo Haggada has been repaired and restored and that a fitting setting has been found for it in the National Museum. The United Nations Trust Fund For Sarajevo and individual donors provided the funding support. The redesigned room in the National Museum will be dedicated on 2 December. The Haggada is an invaluable symbol of the multicultural heritage of Bosnia and Herzegovina. Its repair and display is just one of the contributions the United Nations is making to reconciliation.

Looking ahead to January 2003, I am pleased to say that arrangements for a seamless transition to the European Union Police Mission (EUPM) are in place. The EUPM planning team of 30 personnel has been working out of UNMIBH headquarters since May under the guidance of the current IPTF Commissioner, who will also be the first serving EUPM Commissioner. The drawdown of IPTF and the gradual build-up of EUPM have been carefully coordinated, with the first EUPM deployment scheduled for 4 November. This coincides with the repatriation schedule for current IPTF monitors. Since the elections, over 500 IPTF monitors have departed, leaving 900 monitors in theatre, and 18 smaller IPTF stations have been closed.

In numerous meetings and briefings with European Union delegations, including a visit by the Political and Security Committee, we have emphasized the need for continuity and specialized expertise in our most important and innovative policing projects. The hiring of UNMIBH local staff to work with EUPM would facilitate this.

I am glad that EUPM has agreed to give priority to the State Border Service, the State Information and Protection Agency and the maintenance of effective counter-trafficking measures. I am also glad that EUPM intends to take a robust approach to organized crime, with thorough strategies and significant

resources to mentor and assist local police forces to fight this malignant cancer.

I have always maintained that the success of UNMIBH will be judged not only by what it achieves, but also by how it leaves. The Brahimi report called for greater cooperation between the United Nations and regional organizations in peacekeeping. This first operation by the European Union under the European Security and Defence Policy is the practical embodiment of the recommendations of the Brahimi report.

Seven years of UNMIBH and a decade of United Nations peacekeeping in Bosnia and Herzegovina are about to end. I believe that an objective assessment would show that our record was mixed, not disastrous. UNMIBH is a success. The Council's support and the quality of the women and men of UNMIBH from 96 nations and 43 police-contributing States, and the Secretariat that stands behind them, have been instrumental to that success.

We have all learned many lessons. I hope that we have the wisdom and the will to apply them as we face new situations of great complexity. My experience in UNMIBH has reaffirmed three fundamental points. First, that the introduction of the rule of law in a post-conflict situation is the foundation for democracy, for economic progress and for an exit strategy for peacekeepers.

Secondly, reconciliation and healing are impossible if notorious war criminals are not brought to justice. The continued liberty of Karadzic and Mladic is a blight on everything we are trying to achieve and a sign of the impotence of the West in the face of evil.

Thirdly, as the tragic events of 11 September last year and more recently in Bali showed, there is no vaccine that can protect us from a globalized world. Instability, dysfunctional societies and the detritus of war cannot be allowed to fester unattended or to be abandoned in midstream.

(*spoke in French*)

I am convinced that Bosnia and Herzegovina is on the right path. There may be some bumps along the road, but the direction is clear. With the necessary resolve and will, the success of UNMIBH will be the first stage in the common success of the international community and the citizens of Bosnia and Herzegovina.

Mr. Traavik (Norway): Let me first of all thank Lord Ashdown and Special Representative Klein for their extremely lucid and balanced presentations this morning.

The Norwegian Government would like to congratulate the Bosnian authorities on their successful implementation of the general election on 5 October. This was, after all, the first election that the Bosnian authorities had sole responsibility for. It is encouraging against that backdrop to note that the elections have been assessed as free and fair.

However, while the election process itself was encouraging, voter turnout was low. This is especially disappointing given the fact that these were elections for the first four-year period. In many respects, these were the first normal elections since the end of the war and one would have hoped that the electorate had shown greater interest and responsibility for the fate of its country.

Secondly, the election results indicate continued strong support at almost all levels for the three mono-ethnic, nationalist political parties. Although this might not be the outcome most wished for by the international community, the results must nevertheless be respected as the free and fair expression of the political will of the voters. However, Norway shares the assessment of Lord Ashdown that the election results can also be interpreted as an expression of discontent at the slow pace of reform and a general lack of confidence in the political process.

We, the international community, must and should take this disenchantment seriously, all the more so since the same sort of dissatisfaction is in evidence in other parts of South-East Europe. It provides fertile ground for these simple solutions offered by populist extremists and, as Lord Ashdown rightly pointed out, the situation in many parts of the region remains fragile.

Hence, this is not the time for the international community to stand back or to disengage. We would do well to pay heed to Lord Ashdown's call on us all to stay the course and remain engaged. We, for our part, intend to do so.

Extensive reforms, and efforts to continue reforms, remain required in order for Bosnia and

Herzegovina to move forward. Bosnia and Herzegovina's future clearly lies with enhanced cooperation with Europe. The sooner Bosnia and Herzegovina conforms to European democratic and economic standards, the better.

It is now up to the country's newly elected authorities to demonstrate in practice their readiness and political will to fulfil the responsibilities entrusted to them. Now is the time to follow up the rhetoric of reform with specific and tangible action to provide reform. Therefore, Norway fully supports the High Representative's six priority tasks for further reforms to be carried out by the new Bosnia and Herzegovina Government in the coming six months. The priority tasks are important and in many respects daunting. However, Bosnia and Herzegovina enjoys the strong support and engagement of the international community. Of course, that engagement will not last forever, and the engagement of the people and the political leaders of Bosnia and Herzegovina must come to the fore sooner rather than later.

I would like to express my Government's gratitude and appreciation to Mr. Klein for his dedication and leadership at the helm of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) as we are approaching the home stretch before it closes its mission. Clearly, the United Nations will be folding this operation with flying colours and with the satisfaction of having done an important job and having done it well.

We appreciate the readiness of the European Union to take over responsibility for the police mission in Bosnia and Herzegovina and indeed the willingness of the European Union to take on the largest share of the responsibility of the international community in the wider region of South-Eastern Europe.

Norway, for its part, intends to support the European Union Police Mission, as we have steadfastly supported UNMIBH.

Mr. Williamson (United States of America): I would like to thank the Special Representative of the Secretary-General, Mr. Klein, and High Representative Ashdown for their presentations. I have three questions to ask, but first, as the United Nations Mission in Bosnia and Herzegovina (UNMIBH) comes to a close, I would like especially to praise Jacques Klein for his dedication, resolve and tenacity. His leadership has made a positive difference in Bosnia.

Now to my questions. First, what will be the response of the High Representative if coalitions emerge from the October elections that include nationalist parties that have refused to cooperate with the International Criminal Tribunal for the Former Yugoslavia (ICTY)? My Government does not subscribe to some of the views of some in the international community that have accepted certain outcomes as inevitable. As Lord Ashdown himself has said, we should judge parties by their deeds, not their words. We believe that the international community and the Council should continue to demand active cooperation with the ICTY, not just meaningless gestures, by parties which have long-standing associations with persons indicted on war crimes, such as Radovan Karadzic. For its part, the United States is concerned about the presence of obstructionist parties in Government and in bureaucracies that have triggered legal restrictions on assistance to the Republika Srpska. Let us hope that this does not need to be extended to an additional and different level.

If local governments do not take appropriate action, will the High Representative use his Bonn powers to remove Dayton obstructers — including those found to have transferred military items to Iraq, which would constitute a violation of requirements to keep the Stabilization Force (SFOR) informed regarding exports of military items, but which also is in violation of the United Nations sanctions agreed to by this Council.

Secondly, is the European Union Police Mission (EUPM) ready to take over the residual police tasks from the International Police Task Force (IPTF), especially in the critical areas of counter-terrorism, organized crime and trafficking in persons?

We congratulate Jacques Klein on the successful completion of UNMIBH's mandate. And we support the High Representative's comprehensive rule of law programme, which we are supporting with considerable resources. Is the EUPM ready, in terms of resources and organization, to take over this critical function?

Finally, we would like to ask Mr. Klein whether he sees any problem between now and the end of the year in bringing UNMIBH's operations to a close. As we have indicated, we are satisfied with the considerable progress that has been made in UNMIBH's operations, but we would like to hear his assessment of any developments that will receive

special attention in the transition period between IPTF and EUPM.

Mr. Duclos (France) (*spoke in French*): As you requested, Mr. President, I shall confine myself to some brief comments. Allow me first to congratulate Lord Ashdown on the work that he has already done in the space of a few months. I wish also to pay special tribute to Jacques Paul Klein, who has had a successful and outstanding tenure in Bosnia. We hail his passion and his effectiveness. He has dedicated them to a very fine cause with remarkable results.

Allow me also to hail the activities of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in training and restructuring the police force, and to pay tribute to the excellent cooperation there has been between the European Union and the United Nations in the transition period. I think this will enable the European Union to take over on 1 January 2003 in the best possible circumstances.

With respect to recent events, and on the substance of the issues, we, of course, support what the presidency of the European Union will be saying on these issues. But I would say that we essentially concur in Lord Ashdown's assessment of the results of 5 October elections. There are some things that might be regretted in those elections. But it is true that they do not mark a return to a conservative attitude or a style of politics which would run counter to the country's interests. They reflect, as Lord Ashdown has said, a degree of disappointment on the part of electors, particularly with respect to their chief priorities, which remain jobs, improving living conditions and combating corruption.

In these circumstances, it seems to us that we can draw three conclusions with regard to operations. The first is that we should encourage, call on and urge future leaders to take that message into account and to commit themselves resolutely to the path of reform. That is what the electors want: reform.

Secondly, we should support the reform priorities identified by Lord Ashdown and summed up by the phrase "first justice, then jobs" (*supra*). Perhaps, we should place particular stress on combating organized crime, which is clearly a priority task for everyone.

Thirdly and lastly, as Lord Ashdown has stated, that programme will be successfully carried out only if the international community and all the actors engaged in that country are fully mobilized on a sustained basis. I think our discussion today is an excellent opportunity to underline that crucial point.

Mr. Ryan (Ireland): I welcome the High Representative, Lord Ashdown, and I commend his dynamic contribution to the implementation of the Peace Agreement on Bosnia and Herzegovina. I also welcome Special Representative Klein and thank him particularly, and all those in the United Nations Mission in Bosnia and Herzegovina (UNMIBH), which will soon be withdrawing with its mandate completed, for their achievements in restructuring and reforming the law enforcement agencies in Bosnia and Herzegovina.

The presence of Lord Ashdown and Ambassador Klein in the Council today and the ongoing determined action of UNMIBH in the field bear testament to the importance to all of us of Bosnia and Herzegovina.

I have five short points to make. First, the fact that the 5 October elections were organized and secured by the people of Bosnia and Herzegovina themselves and took place in a calm and peaceful environment indeed proves that much has been achieved. I heard Lord Ashdown's and Mr. Klein's comments on the low turnout, and I agree with them. We certainly believe that the disappointingly low turnout reflects the failure of the outgoing Governments to engage in serious reform. We agree with the High Representative that we should assess the reform credentials and the concrete actions of the elected parties. What is important is that the new Governments commit themselves to clean politics and to serious, verifiable reform.

Secondly, my delegation welcomes the strategic approach adopted by the High Representative and the interlinked priorities that he has outlined to achieve it. We believe that the rule of law and the fight against corruption are preconditions for economic development and long-term prosperity and stability. The new Governments in Bosnia and Herzegovina should work to create a properly functioning market economy by improving administrative procedures, the judicial system and the legal environment, and by intensifying the fight against organized crime and corruption. Of course, a functioning State administration and judiciary are prerequisites for a country based on the rule of law. In that regard, we welcome the High Representative's

recent call to the authorities to implement the six priority tasks of the "Justice and Jobs" programme.

Thirdly, my Government is heartened by the smooth transfer of responsibilities from the International Police Task Force (IPTF) to the European Union Police Mission (EUPM). We attach great importance to the EUPM, which underlines the European Union's (EU) commitment to Bosnia and Herzegovina and provides further evidence of the links between the EU and the United Nations in conflict prevention and crisis management.

Fourthly, the high level of minority returns to Bosnia and Herzegovina this year is welcome indeed. However, a key element in enabling returns is to ensure that returnees can become economically active. While there is a need for continued international and regional funding, there is also a fundamental need for the State to tackle corruption and raise much-needed State revenues. Of course, the successful reintegration of returnees is also dependent on a commitment to law and order and to the protection of all citizens, irrespective of religion or ethnicity.

Fifthly, it is the firm view of my Government that the authorities in both entities and all other Governments in the region must fulfil their responsibilities and must cooperate fully with the International Criminal Tribunal for the Former Yugoslavia (ICTY). I have noted Lord Ashdown's telling comment in that particular regard. That includes the active prosecution and transfer of all those indicted, as well as granting the ICTY access to documentation and archives.

In conclusion, they are many challenges ahead that will require the determination of the people of Bosnia and Herzegovina. They include tackling organized crime and corruption, addressing the rule of law, strengthening the economy and facilitating refugee returns. My delegation would like to express its appreciation for the progress already achieved by the High Representative and by UNMIBH in those areas. I take this opportunity to reaffirm Ireland's strong support for their efforts to achieve a Bosnia and Herzegovina that is based on the rule of law, democracy and prosperity for all its citizens, a Bosnia and Herzegovina firmly set on the road to European integration.

Mr. Thomson (United Kingdom): I thank the High Representative and Special Representative Klein for their briefings. We congratulate them on what they have achieved both individually and, as the High Representative pointed out, jointly. We would also like to take this opportunity to applaud the achievements of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) and the leadership of UNMIBH by Jacques Klein.

The United Kingdom supports the remarks to be made by the presidency of the European Union (EU). I will therefore not attempt to be comprehensive. I have a couple of comments and a couple of questions under three headings. The first is the rule of law, the second is economic reform and, finally, I have a point or two on the recent elections.

On the first point, it seems to us that the rule of law is and must be the international community's number-one priority in Bosnia. The High Representative was therefore right indeed to reform the immunity laws following the elections. It is proper for the Bosnian courts to decide whether an individual is fit to serve in the Government, and we must see war criminals brought to justice through the International Criminal Tribunal for the Former Yugoslavia (ICTY). The smooth transition so far from the International Police Task Force (IPTF) to the European Union Police Mission (EUPM), as described by Jacques Klein, is very welcome. We need to continue to ensure that that transition process continues to run smoothly, and we agree with both the High Representative and the Special Representative of the Secretary-General that the international community needs to continue to provide practical support for the rule of law.

On reform, we completely agree with the High Representative that the reform agenda must now speed up. The future Government, whatever configuration it eventually takes, will need to be fully committed to the reform process, and must sign up to the "Jobs and Justice" agenda agreed by the previous Administration. The High Representative is right that the international community must support that agenda and stay with the process through appropriate practical support. The United Kingdom remains committed to that both nationally and through the European Union.

The High Representative has our strong support for the "making Bosnia work" reforms. In particular, it is essential to increase State funding though State-level value-added tax (VAT) and the creation of a State-level

customs agency. Clearly, for that, both reform of justice and economic reform will be essential.

Finally, on elections, we agree with the High Representative that the Bosnian Electoral Commission did a superb job organizing the elections. This is indeed a good sign that democracy is taking root in the country.

The low turnout and the comparatively strong showing by nationalists against moderate parties is, of course, disappointing. But, as both Special Representative of the Secretary-General Klein and the High Representative have spelt out, the low turnout will be reversed only if the future Government proves it is capable of making progress on the reform agenda.

On the election results, the international community needs to continue to hammer home the message that this was a protest vote against the slow progress of reform made by the moderate Government and not a vote per se for the nationalists. The High Representative and his Office have done well to convey this message so far.

To conclude with a few questions, does the High Representative or Jacques Paul Klein think it possible still to form a moderate coalition in the Republika Srpska? There have been rumours that Ivanic has done a deal to enter into coalition with the Serb Democratic Party (SDS) and the Socialist Party of Republika Srpska (SPRS). How much does the shape of the future coalition, in fact, matter to implementation of the reform agenda set out in "jobs and justice"?

Mr. Jiang Jiang (China) (*spoke in Chinese*): I should like at the outset to thank High Representative Lord Ashdown and the Special Representative of the Secretary-General, Mr. Klein, for their detailed briefings. We welcome all of the achievements made in Bosnia and Herzegovina on all fronts.

China has closely followed developments in the situation in Bosnia and Herzegovina and has taken note of the new and effective measures taken by the High Representative to assist the Government of Bosnia and Herzegovina in taking concrete measures to implement the reform process and to promote the establishment of the judicial and legal system. China believes that these measures will help Bosnia and Herzegovina to stand on its own at an early date.

We welcome these first elections, which were independently organized by the Government of Bosnia and Herzegovina in early October and were held in a fair and peaceful atmosphere. We hope that the newly elected Government will continue to be committed to the maintenance of peace, stability and security in Bosnia and Herzegovina and that it will give priority to promoting national reconciliation; expediting the return of refugees; and reforming the judicial and legal systems.

Next month will witness the seventh anniversary of the conclusion and signing of the Bosnia and Herzegovina Peace Agreement. However, we still see frequent reports in newspapers of problems among the three main ethnic groups in Bosnia and Herzegovina. We have heard, for instance, that some restaurants charge members of the three different ethnic groups three different prices for a cup of coffee.

There is an old saying in China: "Peace at home brings prosperity for all". It is only when all ethnic groups in Bosnia and Herzegovina can coexist peacefully that the country will truly be able to stand on its own and achieve lasting peace and stability and sustainable economic development; only then will its peoples be able to emerge from the shadow of war and return to a normal way of life.

It is our hope that the withdrawal of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) will not have a negative impact on peace and stability in the country. We hope that the Security Council will continue to follow developments in the region. We hope also that, under the leadership of the European Union, the various institutions of the international community in Bosnia and Herzegovina will be able further to strengthen their coordination and cooperation, fulfil their respective responsibilities and help the Government and the people of Bosnia and Herzegovina achieve self-reliance, economic development and lasting peace and stability in the region, and that there will no longer be such a phenomenon as a cup of coffee with three different prices.

Mr. Konuzin (Russian Federation) (*spoke in Russian*): We are grateful to the High Representative, Lord Ashdown, and to the Special Representative of the Secretary-General, Jacques Paul Klein, for the detailed information they have given us about the situation in Bosnia and Herzegovina.

The Russian Federation is of the view that a main prerequisite for success in moving the peace process forward is ensuring stability in all of Bosnia and

Herzegovina and in each one of its districts on the basis of the Dayton Agreements.

The potential of these Agreements has not yet been exhausted. We are convinced that it would be counterproductive to attempt to revise, selectively implement or erode the content of the Dayton Agreement, which are a substantial factor in the maintenance of regional stability.

We are pleased to note that the Bosnia-wide elections held on 5 October were conducted in an atmosphere of calm under Bosnian legislation and European norms. We share the view of other delegations and of the High Representative as to the character of those elections.

The elections confirm the fact that, as was stated by Lord Ashdown, in the last few years significant changes have occurred in the country. We support the work of the new High Representative in Bosnia and Herzegovina as well as the priorities that he has formulated and reaffirmed today, namely ensuring the rule of law, economic reform, job creation and strengthening statehood in general. It is our view that these priority tasks should be implemented in strict conformity with the Dayton Agreements and with the Constitution of Bosnia and Herzegovina on the basis of a consensus on the part of all Bosnian parties.

We wish to emphasize here that forcible measures could, now more than ever, give rise to further complications. In this regard, we value the efforts of Lord Ashdown to establish close interaction between the leadership of Bosnia and Herzegovina and the Governments of both entities.

A firm foundation for a unified, stable and independent Bosnian statehood can be laid only if the Bosnian parties engage in a patient quest for mutually acceptable solutions. The representatives of both entities must take active responsibility for the future of their country. They must show greater willingness to cooperate and to reach compromises and must find within themselves the strength to rise above narrow ethnic interests in order to achieve common Bosnian goals. Only thus will it be possible to ensure the normal operation of State institutions and bodies at all levels and establish an effective legislative base and a unified economic area.

Given the fragility of the political situation in Bosnia and Herzegovina, we are convinced that the international community must continue to monitor the public security situation in the country, as well as the work of the local police. In this regard, we welcome the work of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in preparing for a seamless, coordinated transfer of authority to the European Union Police Mission, which will begin to take up its duties on 1 January next year. The new Police Mission will not be beginning its work from scratch, once again underscoring the importance of ensuring continuity in passing the baton, so as not to waste years of accumulated experience.

In this connection, I would like to express the gratitude of my Government to the Special Representative of the Secretary-General, Mr. Jacques Paul Klein, for the great effort that he has made to implement the mandate of UNMIBH. It is our firm understanding that the Security Council, as the main body responsible for peacekeeping and international security, will, even after UNMIBH has completed its work, continue to receive, on a regular basis, reports on the process of implementing the police operation in that country.

We consider the general situation in the region to be a further important element for consolidating the positive trends in building Bosnia and Herzegovina. We welcome the fact that harmonious relationships are being established between Sarajevo, Belgrade and Zagreb. We are convinced that a lasting, positive momentum in the development of relations between Yugoslavia and Bosnia and between Croatia and Bosnia is extremely important for continued stability in the Balkans.

In this context we would like to emphasize the significance of the Tripartite Summit, held in Sarajevo in July, and of careful implementation of the joint declaration that resulted.

We once again emphasize that attempts to force the Bosnian parties to create a single army contradict not only the peace agreements but also the constitution of Bosnia and Herzegovina. The desire to force that process would be counterproductive and could upset the rather delicate balance that has begun to be established in relations between the Serbs on the one hand and the Bosnians and Croats on the other. In this context, we welcome the continuing dialogue between the Bosnian parties on military matters. We also welcome the reform of the Standing Committee on

Military Matters aimed at strengthening civilian oversight of the armed forces of Bosnia and Herzegovina. In this respect, we would like to hear the High Representative's assessment of how that dialogue is proceeding.

The Russian Federation intends to continue to provide all possible support for the building of Bosnia and Herzegovina. We are ready to continue to make a constructive contribution to resolving the issues remaining on the agenda in the Bosnian settlement process.

Mr. Tafrov (Bulgaria) (*spoke in French*): My delegation associates itself with the statement to be made later in the debate by the Danish presidency of the European Union.

I welcome the presence of Mr. Jacques Paul Klein and Lord Ashdown in the Council today and thank them for their briefings. I would also like to thank Mr. Jacques Paul Klein for the extraordinary job that he has done in Bosnia and Herzegovina in placing his experience, energy and dedication at the service of the United Nations. Bulgaria thanks him for the results that he has achieved. We would also like to thank Lord Ashdown, a prominent figure on the European scene, whose stature and charisma reflect the continued concern of the international community and in particular the European Union for Bosnia and Herzegovina, a country in South-East Europe with which Bulgaria has close ties and whose destiny is of crucial importance for the future of the whole of that region.

With regard to the results of the recent elections in Bosnia and Herzegovina, our thinking very much concurs with that of Lord Ashdown. It is important for the Bosnian political classes to acknowledge the fact that Bosnians want further reform. The reality check that some of those in power at various levels have experienced will compel them to be pragmatic. In that context, Lord Ashdown's comments were somewhat reassuring. Some pragmatism is emerging, and it is important to encourage it.

At the same time, the results of the election, which reflect the democracy fatigue that we have perceived in other democracies, is nonetheless a sign that Bosnians are somewhat discouraged, and we must take note of that fact. It is yet another reason why there should be a continued, strong international presence in Bosnia and Herzegovina for some years.

Having said that, I believe that the future of Bosnia and Herzegovina lies in the hands of the Bosnians themselves, particularly in the area of the economy, where there has been a certain paralysis in the past few years that has impeded significant progress. Speaking as a representative of a country that has undertaken such reforms in the past and is continuing to do so, I would like to recall a comparison that was made in Bulgaria and elsewhere at the start of our economic reform effort: "If you must cut the tail off a cat", it was said, "do it with one stroke; it might be painful, but it is over quickly, and it is effective. Cutting it off in several pieces is much more painful and much less effective". I think it is very important for the cat's tail to be cut off in one go; the Bosnians should opt for that approach.

Bulgaria unreservedly supports the strategy developed by the High Representative concerning the rule of law and administrative reform. It is true that justice is the chief priority, and in that respect he will be able to build on the outstanding work of the United Nations Mission in Bosnia and Herzegovina.

The problem of the customs service is an urgent one. It is also important in the regional context. Equally important is the problem of trafficking in human beings. I thank Jacques Paul Klein for addressing that in detail. I will take this opportunity to ask Lord Ashdown a question. What place does this problem occupy in his strategy for the rule of law in Bosnia and Herzegovina, given that this problem has a regional dimension?

The return of refugees should be welcomed. It is a process that we hope will now be irreversible. We are very sympathetic to Lord Ashdown's appeal for greater financial support. It is vital for the stability of Bosnia and Herzegovina that this process be carried out successfully. Bulgaria associates itself with all those who have called for more understanding with respect to this problem.

I could not conclude my remarks without recalling that despite all the positive elements that I have mentioned, there are still forces in Bosnia and Herzegovina that are not ready to cooperate with the International Criminal Tribunal for the former Yugoslavia. The very fact that emblematic figures, such as Karadzic and Mladic, are still at large, is not something that will make the job of the European Union and Lord Ashdown any easier. It is important

that all those accused of war crimes be brought to trial. They belong at the Hague. We appeal once again to all those in a position to do so to ensure that there is complete cooperation with the Tribunal.

The regional context is positive, as earlier speakers have said, in particular the Russian delegation. Bulgaria welcomes that. The authorities in Zagreb and Belgrade are doing what is necessary. Bulgaria is working on a regional plan with those friendly countries and, of course, with the Bosnian authorities on the regional level to make that process irreversible in the context of greater regional cooperation, especially in the framework of the Stability Pact for South-Eastern Europe.

I would like to conclude by expressing our best wishes to Lord Ashdown and to reiterate Bulgaria's support for him as he carries out his duties.

Mr. Valdivieso (Colombia) (*spoke in Spanish*): I wish to thank Lord Ashdown for his detailed and clear presentation. I also wish to thank Mr. Klein for everything that he did during his mandate while carrying out his responsibilities. We all know his great skill, great energy and the effective way he has carried out his task.

Taking advantage of the remarks made by the rest of the members of the Council, I would like to refer to the issue of elections because in a way it is symptomatic that the elections could have been interpreted as a result that, at a certain moment, discredits the democratic processes. Everything seems to indicate that the risks of an extreme nationalism, especially in the situation we all know exists in the region of Bosnia and Herzegovina, are real. But even so, if the nationalist tendencies had clearly triumphed, I would say that it in itself cannot disqualify the democratic process, because democracy must work and must express itself. And if that is democratic expression, it is still an expression. The problem is what kind of signals does that send us? In what way does it alert the international community? And can that result be used to reflect on where the process originated and where it is going?

Let us not forget the Dayton agreements, which have been mentioned several times. They are now seven years old or more. They are agreements that in a way impose certain conditions which put an end to conflict. But those agreements should be able to guarantee the future that the international community wishes and which the inhabitants of Bosnia and Herzegovina deserve. If the agreements serve simply to put an end to the conflict, and might generate a future conflict, it is possible that such a conflict could be of even larger greater dimensions. That is why we have to be cautious in our analysis of a democratic expression of will. We cannot impose the sort of democracy that we want. We must aim for an expression of will in conditions compatible with the healthy wishes of the international community.

I would thus venture to ask Lord Ashdown a question about what he himself has called the need to speed up the reforms. For example, among the reforms that have been commented on, he has an idea to develop a new structure in the central Government — to create or to strengthen the central Government. He explicitly mentions it in the report (S/2002/1176). He has spoken of the creation of the position of a single Prime Minister. That would be the first time that such a post has existed since the end of the war seven years ago. It is even mentioned that two months have been granted for the Government of Bosnia and Herzegovina to decide whether it would create the position, based on the powers and responsibilities of the High Representative. How does the High Representative see this situation, if it is possible to hear some comments on that point? But he will understand that there is concern about what that political result could mean with respect to what can or cannot be done or what must or must not be done.

The important thing, I would say, is to link the electoral result to the future, as the High Representative explained in the report. For example, I was struck by the reference that he makes in paragraph 47 of the report to a "new beginning". The report then clarifies: "after these elections". In other words, these elections are a kind of point of departure. We need to relate this to the future, and we must bear in mind that the political results draw very clear attention to the theme of reform.

Also, in a very general way, I would like to pick up on the emphasis the High Representative has placed on the rule of law and the establishment of reliable and efficient judicial processes. I feel bound to say that this is not just a priority for him, but his work has demonstrated it in fact. This is a very important point. The point has been made that justice must work, and that the Bosnia and Herzegovina authorities need to cooperate with the International Criminal Tribunal for

the former Yugoslavia. There is also a need for the judicial system, including the judges, prosecutors and investigators, to be capable of generating trust, and, above all, capable of producing effective results. Otherwise, we would have some bodies that are very highly qualified but ineffective, and this would give rise to greater frustration.

I would like to say that a lot of ground has been covered in this respect in Bosnia and Herzegovina. And, undoubtedly, we will see how cooperation with the international community can yield results. We have great hope that the evolution will be in this direction.

Mr. Wehbe (Syrian Arab Republic) (*spoke in Arabic*): Thank you, Mr. President, for convening this meeting. I would like to express our thanks and appreciation to His Excellency Lord Paddy Ashdown, High Representative for Bosnia and Herzegovina, and to Mr. Jacques Paul Klein, Special Representative of the Secretary-General and Coordinator of United Nations Operations in Bosnia and Herzegovina.

Mr. President, I will heed your call not to make a statement from a prepared text, but I would like to express my deep appreciation for the remarkable efforts of Lord Ashdown and Mr. Klein to rehabilitate Bosnia and Herzegovina after a six-year war, so as to enable that country to stand on its own, to prepare it to be like other countries in Central Europe and join the European Union. In this regard, I must also pay tribute to both of them for focusing on bringing about justice and the rule of law and for creating the institutions to ensure justice, such as the enactment of various laws and the establishment of competent courts, and for their appeal to the international community to provide all assistance possible.

Of particular interest to us is the picture drawn by both Mr. Klein and Lord Ashdown on the outcome of the elections. Here I have a question. It is my understanding from Mr. Klein's briefing that the young did not participate at all in the elections. If I understand this correctly, then my question is: how can you explain the non-participation of the young, who are considered a vital component of the policies and development of Bosnia and Herzegovina?

Scholars examine cases of elections in any given country and come up with a comparative analysis of the outcome and the tallies obtained by parties. Here, a word of thanks goes to both Lord Ashdown and Mr. Klein for the transparency with which they have analysed the results of the elections and the votes obtained by various parties. From our perspective, we see that these electoral results send out a message different from the analysis they have projected, although I had hoped that their reading of those results was correct. Still, I think the election results, their implications and the message they send require a more accurate reading in the future.

The second question is: what are Lord Ashdown's estimates regarding the efforts that have been made to establish police and military institutions to which he referred in his briefing? And what are the obstacles facing both institutions, bearing in mind the limitations of European assistance and the fact that the European Union will assume police functions as of next January?

Additionally, I have five points that I would like briefly to address. Achieving stability in Bosnia and Herzegovina is very pressing after long years of war. I wish to stress — indeed, to pay tribute to — the efforts of both Lord Ashdown and Mr. Klein for the improved security conditions and for improvement in the area of immigration and curbing the flight of immigrants, for this is another factor that must be examined in comparison with the return of refugees. While efforts are under way to ensure refugee return, similar efforts should be made in order to diminish the flight of nationals by strengthening security.

With regard to my other point, I should like to stress the economic situation. It is well known that an improvement in Bosnia and Herzegovina's economy would contribute to the country's salvation, given the generally fragile situation, because economic conditions are closely tied to political and security stability in the country. Here, I should like to join previous speakers in appealing to the international community to provide the necessary assistance. That, in itself, would also curb the flight of Bosnia and Herzegovina's nationals to the outside world.

Bosnia and Herzegovina is not an island, isolated from the rest of the world, but its economy should be developed within its regional context and through development of better relations and mutual respect with its neighbours. Here, the question arises: what is the status of the relationship between Bosnia and Herzegovina and its neighbours in the region?

In conclusion, we join Lord Ashdown in supporting the principle of the return of refugees, not only in Bosnia and Herzegovina — which falls within

his mandate — but also throughout the world. Any other region that suffers from the problem of refugees must also be addressed, because that is an international issue that must be dealt with.

Mr. Gokool (Mauritius): I should like to join previous speakers in welcoming the High Representative for Bosnia and Herzegovina, Lord Ashdown, to today's meeting and to thank him for his comprehensive briefing. I also wish to thank the Special Representative of the Secretary-General, Mr. Klein, for his very useful briefing. In addition, we wish to commend the valuable contributions of the High Representative and of Mr. Klein to the success achieved thus far in Bosnia and Herzegovina.

Most other delegations have commented on the elections, and I should also like to highlight certain points concerning them. First of all, we are pleased to note that the elections, held for the first time by the Bosnia and Herzegovina authorities, were conducted successfully and without violence. We therefore congratulate the authorities on that achievement.

Nevertheless, we have noted that a sizeable portion of the population in Bosnia and Herzegovina did not participate in the elections. As Lord Ashdown and Mr. Klein rightly pointed out, the people of Bosnia and Herzegovina may have expressed their frustration at the manner in which the outgoing Government conducted its business during its mandate. It is, therefore, imperative that the political leaders of the incoming Government focus on priority policies and programmes that will address the concerns of the people of Bosnia and Herzegovina. In that context, we should like to support the idea of establishing tests to judge the seriousness of the incoming Government on its commitment to the reform process, as mentioned in paragraph 46 of the report submitted by Lord Ashdown.

Various efforts have been carried out by the Office of the High Representative to establish the rule of law in Bosnia and Herzegovina. Some of those are commendable, such as the restructuring of the Bosnia and Herzegovina court system at all levels, ensuring that justice will be administered only by capable and honest judges in the future. We also note with satisfaction that the new State Court will become operational on 1 January 2003, with a special jurisdiction to try serious violations of international humanitarian law. If we correctly understood Judge Jorda of the International Criminal Tribunal for the Former Yugoslavia when he addressed the Council in July, the new State Court will include international judges for a certain period of time. My delegation would like to be updated on progress in that regard.

I have two questions for Lord Ashdown and for the Special Representative concerning the domestic debt crisis. It is mentioned in paragraph 17 of the report:

> "... Bosnia and Herzegovina could be in the grip of a severe domestic debt crisis. The country is racing against time".

I should like to know what programmes have been set up by the Special Representative and by Lord Ashdown to deal with this severe domestic debt crisis as soon as possible. We understand the need to implement programmes that will alleviate the debt crisis of the country, whose economy is in a nascent stage.

Secondly, we have observed that there is a need to attract foreign investment to the country. We should like to know from Lord Ashdown what incentives have been proposed in the programme to attract foreign investment in order to put the economy on an even keel.

Finally, we should like to make some observations as the Mission in Bosnia and Herzegovina prepares its exit strategy. We are satisfied that the International Police Task Force has done an incredible amount of work. Bosnia and Herzegovina now has a police force that is adequately equipped to exercise police powers in accordance with democratic standards. The recent appointment of career professionals as police commissioners and the successful certification of an increasing number of police officials, as well as the participation of more women and members of minority communities in the police academies, indicate that the United Nations Mission in Bosnia and Herzegovina (UNMIBH) has successfully completed its mandate and can readily hand over the baton to the European Union Police Mission (EUPM) when its mandate expires at the end of this year. We hope that the EUPM will preserve and continue UNMIBH's legacy. Indeed, the Security Council can claim the successful conclusion of another of its peacekeeping operations.

Mr. Aguilar Zinser (Mexico) (*spoke in Spanish*): My delegation wishes to express very special thanks to the High Representative for Bosnia and Herzegovina, Lord Ashdown, and to the Special Representative of the Secretary-General and head of the United Nations Mission in Bosnia and Herzegovina (UNMIBH),

Mr. Klein, for their briefings and for the outstanding role that they have played in achieving the successes that they have reported, which have placed Bosnia and Herzegovina on the path to stable and lasting peace. That is my Government's expectation.

We note with caution the results of the recent elections.

My country is not in a position, nor does it believe it wise, to make a judgement about the results of the recently held elections. However, we would like to appeal to the political parties that prevailed in the elections held on 5 October that in assuming the responsibilities to which they have been elected they also shoulder the responsibilities entered into in that political process, particularly those contained in the Dayton Agreement. Doing so will guarantee the existence of a multi-ethnic State, thereby no doubt making it possible to establish and strengthen stability in that part of the world.

My delegation has listened with great interest and care to the High Representative's explanation of the priority programme for justice and jobs that is being implemented in Bosnia and Herzegovina. In that regard, we agree with those around the Council table who have expressed the view that clarity and working priorities are what render discernible the road to implementation. As we understand them, those priorities are to establish the rule of law, create jobs and bring about short-term improvements in social and economic conditions. We also believe that to achieve those goals there is also a need to undertake a set of very thorough reforms to define institutional life in Bosnia and Herzegovina in line with the goals set forth here.

My delegation finds it particularly interesting to take note of the role that must now be played by the International Criminal Tribunal for the Former Yugoslavia. In that connection, we would like to emphasize how important it is for the authorities of Bosnia and Herzegovina, at the national level as well as in the various entities of Bosnia and Herzegovina, to extend their honest and resolute cooperation to the Tribunal. The establishment of justice and the rule of law depends largely on that cooperation. Bosnia and Herzegovina's Court will therefore play an essential role as the national institution responsible for trying the cases referred to it by the International Criminal Tribunal for the Former Yugoslavia.

My delegation is also pleased to note that, as the report of the High Representative points out, there was a very large increase in the number of refugees returning to Bosnia and Herzegovina in the year 2000. Given that, as that report also indicates, the problem of refugees and internally displaced persons has importance for both Bosnia and Herzegovina and the region as a whole, we believe it is crucial for neighbouring Governments to adopt legislative measures and take practical steps to facilitate the return of refugees currently taking refuge in Bosnia to their places of origin. In this regard, we would like to know the status of regional understandings with regard to ensuring that this process takes place in as orderly and, insofar as it is desirable and attainable, as expeditious a manner as possible.

With regard to the situation in the region, Mexico believes that the holding, on 15 July 2002, of the Sarajevo summit between the heads of State of Bosnia and Herzegovina, Croatia and Yugoslavia marked the culmination of an effort begun in 2000. That effort has produced discernible progress in normalizing relations between the three countries. We view the continuation and strengthening of that spirit of regional cooperation as a priority of the work of the United Nations in the region.

Finally, I would like to emphasize how important it is for the United Nations, the Office of the High Representative and the European Union to work in a very coordinated manner during the last phase of the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) in order to ensure a smooth transition and to guarantee that the functions currently being carried out by UNMIBH are properly taken over by the European Union on 1 January 2003.

The President (*spoke in French*): I should like to inform members of the Council that I intend to adjourn this meeting at 1.15 p.m.

As many questions have already been put to the High Representative and Mr. Klein, I would appeal to the remaining speakers to be as brief as possible and to proceed directly to asking their questions.

Mr. Traoré (Guinea) (*spoke in French*): First of all, I would like to thank you, Mr. President, for organizing this public meeting on the United Nations Mission in Bosnia and Herzegovina (UNMIBH). I would also like to welcome the presence among us of High Representative Lord Ashdown and Special Representative of the Secretary-General Jacques Paul

Klein. I also wish to thank them for their very useful statements.

My delegation commends the High Representative for the tremendous effort he is making on the ground. We share the concerns he expressed in his statement, and we pledge our support to him with regard to the priorities he has identified. We appeal to the international community to continue to support him in the reform he has initiated in Bosnia.

As UNMIBH draws to a close, my delegation would like to commend Mr. Klein for the professionalism and competence with which he has led the Mission.

Despite the low voter turnout, my delegation is pleased with the way elections were conducted in Bosnia and Herzegovina. This is an achievement that must be built upon.

It is true that many people avoided the elections and that there is indeed much hard work to be done. We have to make sure that we win the trust of those who ignored the elections. That will be a difficult challenge for the new team. It is thus important for the international community to fully support the new authorities so that they can take up the challenges they face.

Mr. Yap (Singapore): We would like to thank the High Representative, Lord Ashdown, and the Special Representative of the Secretary-General, Mr. Klein, for their comprehensive and useful briefings.

I would like to make two points. First, we support Lord Ashdown's goal of preparing Bosnia and Herzegovina for statehood within the European Union and his having set the rule of law and jobs as his top priorities. The rule of law is central to any society, not least to one that has just emerged from conflict. Jobs are an indicator of the state of a country's economy, progress in which is important for the country's viability and stability.

The next Government of Bosnia and Herzegovina must therefore heed the call to act on implementing the key reforms in the rule of law and making Bosnia work agenda. The smooth running of the 5 October elections by the authorities of Bosnia and Herzegovina is a model for the new Government to emulate in going about its business.

Secondly, we commend Mr. Klein and the United Nations Mission in Bosnia and Herzegovina (UNMIBH) for the outstanding work they have done in reforming the police sector. We reiterate the need for a smooth transition from the International Police Task Force to the European Union Police Mission at the end of this year. The tangible and intangible gains made by UNMIBH in all aspects of police reform should be built upon; none should fall through the cracks during the process of handing over.

Here, we have a question similar to that posed earlier by the United States on whether there are any particular problems with the transition.

The President (*spoke in French*): I would like to now ask some questions in my capacity as the representative of Cameroon. First of all, I am pleased to welcome Lord Paddy Ashdown and Mr. Jacques Klein. I would like to thank them in particular for the useful, detailed and informative briefings.

I have two questions for them. First, how did the other countries in the subregion view the results of the 5 October elections? And secondly, with the future coalition, will there be continued international cooperation in combating organized crime, trafficking and the lack of security?

I would like to praise the work of Mr. Jacques Paul Klein as the head of the United Nations Mission in Bosnia and Herzegovina. His dedication and professionalism have enabled the international community to set Bosnia and Herzegovina on the road to recovery and to integration into the community of free and independent States.

I now resume my functions as President of the Security Council.

The next speaker on my list is the representative of Denmark. I invite her to take a seat at the Council table and to make her statement.

Ms. Løj (Denmark): I have the honour to speak on behalf of the European Union. The countries of Central and Eastern Europe associated with the European Union — Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia — and the associated countries Cyprus, Malta and Turkey, as well as the European Free Trade Association country members of the European Economic Area Iceland, align themselves

with the comments I am going to make. The full text of our remarks will be available in writing.

I would like to make a few comments, and then ask a few questions. At the outset, I would like to thank the High Representative, Paddy Ashdown, and the Special Representative of the Secretary-General, Jacques Klein, for their briefings.

Bosnia and Herzegovina went to the ballots on 5 October, seven years after the signing of the Dayton Peace Agreement. Politicians were elected for the first time for a period of four years. It was also the first time that the Bosnian authorities themselves assumed responsibility for the election process. The European Union commends the electoral authorities for their professional organization of the elections, which were carried out in a peaceful manner.

At the same time, the European Union regrets the low participation in the election, which the High Representative has characterized as protest vote. The people of Bosnia and Herzegovina have shown their disappointment with the inadequate progress in creating change and building a better future. This was a call for a more efficient political system and for faster social and economical reforms.

Here, I would like to ask Lord Ashdown how he sees the possible outcome of the deliberations regarding the formation of a new Government, and when we can expect to have a well functioning Bosnian Government in place. I would like to ask him in particular if he has any indication on the matter from the Bosnian parties.

Secondly, the existence of organized crime and corruption prevents the roots of progress and democratic development from taking hold. Organized crime is a threat to the rule of law, democracy, human rights, social progress and economic reform. Organized crime is, in other words, a threat to security and stability. Unless those destructive structures are brought down, international efforts to promote democracy and economic development will not be sustainable.

In this respect, I would like to ask about the upcoming conference in London on 25 November, which in our view will be a good opportunity for the countries in the region to live up to their commitments and to set clear targets in order to strengthen the fight against organized crime. I would like to hear Lord Ashdown's view as to how we can ensure an effective and positive contribution from that conference to the fight against organized crime.

Thirdly, the European Union emphasizes the need for a sustainable solution to the issue of displaced persons. In recent years, there has been a steady improvement of the return figures. In 2002 alone, there have been more than 60,000 registered returns, resulting in a total of almost 900,000 returnees. More still needs to be done in order to create a favourable climate for the acceptance of returnees. The European Union therefore strongly regrets the local obstruction to returns and urges all authorities in Bosnia and Herzegovina to honour their commitment to address the outstanding legal and administrative issues in this regard.

The adequate allocation of resources by the Bosnia and Herzegovina authorities towards the sustainability of the return of refugees and internally displaced persons is of utmost importance. In that regard, I would ask Lord Ashdown to elaborate on the remaining obstacles to the return of refugees and to comment on the plans to dissolve the refugee department.

Finally, the European Union noted with satisfaction that the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH) has been prolonged until the end of the year. After seven years, UNMIBH has now successfully fulfilled its mandate in the area of police reform and restructuring. The prolongation will ensure an orderly transition between the United Nations mission and the European Union Police Mission (EUPM), which will take over on 1 January 2003.

I am happy to inform the Council that the Status of Forces agreement between the European Union and Bosnia and Herzegovina relating to EUPM was signed in Sarajevo earlier this month, enabling the immediate follow-on of that mission when UNMIBH ends its work.

In this context, the European Union would like to stress the importance of enhanced cooperation and coordination between different international actors in Bosnia and Herzegovina. Through the Stabilization and Association Agreement and EUPM, the European Union will continue to work with the authorities and people of Bosnia and Herzegovina in their endeavours to build a well-functioning, multi-ethnic society.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Croatia. I invite him to take a seat at the Council table and to make his statement.

Mr. Šimonović (Croatia): I would like to thank the High Representative and the Special Representative of the Secretary-General for their reports and for the opportunity to give comments and to ask some questions.

My Government totally supports the approach of the High Representative and the Special Representative to the effect that, in Bosnia, there is no time for pessimism and that the key to a sustainable Bosnia and Herzegovina is reform. We also fully agree with the High Representative's recent statement that Dayton should be the floor and not the ceiling.

Concerning the elections and comments concerning them, we would like also to pay tribute to Bosnia and Herzegovina for holding successful elections and to draw the attention of the Council to the fact that, during the electoral campaign, there were some encouraging signs indicating that the scope of values shared by all major political forces is broadening and that it does include support for the unity of Bosnia and Herzegovina and for the constituent status of all three constituent peoples throughout the territory of the country.

Concerning the outcome of the elections, we share the view that the key, the yardstick by which political parties should be measured, is their support for reform. We believe that a country becomes normal not only when its Government becomes normal, but when its opposition can be considered normal as well.

We give full support to justice and jobs programmes. We find that the role of justice is of immense importance to peace-building in all post-conflict societies, and especially in Bosnia and Herzegovina. We think that the fight against corruption is extremely important and that it is key to Bosnia and Herzegovina's ability to attract foreign direct investment.

My Government is particularly worried by the comments of both the High Representative and the Special Representative concerning Karadzic and Mladic and we think that it is questionable as to whether, with Karadzic and Mladic at large, we can speak about a sustainable Bosnia and Herzegovina. My question to them is: Is there anything they think the Security Council should do in this regard? This is, in any case, a discussion that should be continued next week, when we will hear a briefing here by the Prosecutor for the International Criminal Tribunal for the Former Yugoslavia, Carla del Ponte.

Finally, I would like to thank Jacques Klein for everything and all the good he has done in South-East Europe, first in Croatia and then in Bosnia and Herzegovina. I would like to remind members of the Council that, under his command, the first arrest of an indicted war criminal by international forces took place.

The President (*spoke in French*): The next speaker inscribed on my list is the representative of Yugoslavia. I invite him to take a seat at the Council table and to make his statement.

Mr. Šahović (Yugoslavia): I would like to thank you, Sir, for convening this meeting. This discussion is indeed timely in the light of the processes that are taking place in Bosnia and Herzegovina and in the region as a whole. The comprehensive briefings that we have just heard from High Representative Lord Ashdown and from Special Representative of the Secretary-General Klein eloquently described and analysed these processes. We thank them for their statements.

Cooperation with neighbouring countries is a priority of Yugoslavia's foreign policy. Furthering regional stability is another major objective of ours. In many respects, Bosnia and Herzegovina is the key to the stability of our region. Within both these contexts, bilateral and regional, we attach particular significance to the development of good relations with Bosnia and Herzegovina.

In the past two years, our endeavours to normalize relations with Bosnia and Herzegovina have been evident. We have updated the Council on the progress achieved on several occasions. Hence, I will not go into details now. However, I would like to point out that this upward trend in our relations has continued over recent months. A number of bilateral agreements have been signed, including a free trade agreement. These agreements, together with the non-visa regime that exists between the two countries, are aimed at ensuring the free flow of people and goods. Three agreements that should be finalized soon, including one on dual citizenship, have the same objective. On the broader political level, we would like

to emphasize the importance of the trilateral meeting in July this year of the Presidents of Croatia and Yugoslavia with the Presidency of Bosnia and Herzegovina.

The basis for this active cooperation is, of course, the Dayton/Paris Agreement. The Federal Republic of Yugoslavia, as a signatory and guarantor of this Agreement, remains committed to its full implementation.

The United Nations Mission in Bosnia and Herzegovina (UNMIBH) is on the way out. My Government would like to express its appreciation for the significant contribution of UNMIBH to stabilizing the situation in Bosnia and Herzegovina and thereby contributing to the stability of the region as a whole. We are confident that the European Union Police Mission, which will begin operations soon, will play an equally constructive role. My country also welcomes the continuing efforts of Lord Ashdown in accelerating the process of institution-building in Bosnia and Herzegovina. We believe that this course of action is the best way to enable the citizens of Bosnia and Herzegovina to take responsibility for their country into their own hands through their elected representatives.

In conclusion, I would like to reiterate that Yugoslavia is looking forward to working with the new Government towards furthering our good-neighbourly relations. Also, rather than asking questions, I would like to convey to Lord Ashdown that my Government is ready to cooperate with him, as he deems appropriate, in his efforts to further stabilize Bosnia and Herzegovina through the ambitious reforms that he outlined today.

The President (*spoke in French*): I call on Lord Ashdown to respond to the questions that have been asked.

Lord Ashdown: I am very conscious, Sir, of your proper requirement to be brief, so I will try, if I may — whilst, I hope, covering most if not all of the points — to be as swift as I can.

First of all, may I say how much I personally appreciated — as will, I know, my staff — the very widespread expressions of support that we have received here. They are heartwarming and provide us, I think, with a huge sense of confidence about the support that comes from the Council, and for that I am deeply grateful. May I say that, very welcome though they are, we need alongside them — and members may think these are even more important — the practical help that was referred to properly by the representative of Colombia, in the support programmes, for the judges and the prosecutors, and in the witness protection programmes. If we are now to seriously tackle, as I am determined we will, the networks of serious, large-scale organized crime in Bosnia-Herzegovina, then some people will be, indeed already are, putting their lives at risk to clean up the space in Bosnia-Herzegovina. Practical help, practical assistance with judges, with prosecutors that can help us train, with witness protection programmes by those who have experience in dealing with organized crime, will be hugely important to our success. It is a battle we cannot afford to lose. And in this context, I think the point made by the representative of Denmark on behalf of the European Union (EU) is extremely important.

The London Conference of 24-25 November on organized crime throughout the Balkans is a very important milestone for us. The representative of Denmark asked me a direct question: "What can best come out of it?" And the answer is: "That practical help that we need." And may I stress, perhaps speaking on behalf of my colleagues who have already spoken from the region, that organized crime is not just a Bosnian problem, it is a Balkans problem. Nor is it a problem that is unique to the Balkans. Organized crime, corruption and the black market stalk after war like a black shadow. Those of us who remember what happened after the Second World War in Europe will remember that this is an inevitable consequence of war and dislocation.

But it must be beaten. There is not a single civil space, not a single political space, not even a single economic space in the Balkans. But there is a single criminal space. It operates completely disregarding borders and ethnic differences. It has to be tackled regionally. And it can only be tackled regionally with the specific, practical measures of the sort that have been outlined and which, we hope, will be put together at the London Conference.

On the question of refugees raised by Ireland, Mexico and the representative of the EU, the key thing that is stopping refugees returning in most areas of Bosnia-Herzegovina — leaving aside perhaps a tiny handful, three or four I could name, where the problem remains security — is lack of economic activity, lack of social provision and lack of jobs above all. But,

nevertheless, there are many areas to which people would wish to move back but they are now prevented from doing so, because there simply is not the money to put a roof on their house.

I wish that Council members could have come with my wife and me, a matter of weeks ago, when we went to stay with people moving back, unbelievably, to the hill villages above Srebrenica. These were devastated farm lands that had not been opened up for six years and were being cleared by women, because all the men had been killed. Those women have had the courage to return to their communities, to clear their farm land by hand, to sit patiently beside their ruined and burnt house in the very community where their father their grandfather and their sons had been slaughtered. You would have seen then that the heart-breaking thing is that whatever their commitment, whatever their courage, the thing that keeps them from coming back is that there is not the money to put a roof on their house, that we cannot provide them with a cow, that we cannot provide them with a herd of sheep to get their economy restarted. Now that is what this means to keep that funding up, and I beg the Council to make sure that continues to happen.

There are some who think it is the time to cut back our funding. It is not. We are on the edge of a miracle here, but it has to be kept going. The representative of France mentioned the fact, as indeed have many others, that they did not regard the vote as a vote for nationalism. That is correct. But it remains a hard and unavoidable fact that the people who are now more powerful are those who come from the "nationalist" parties. I am not sure nationalism and non-nationalism is necessarily the only criterion by which you can judge Bosnian politics any longer. I think we are moving to a rather subtle and more complex structure.

But let me just make this point, that I think that we ought to judge the next Government by its actions, not by who is in there or what label they have. All of their manifestos are committed to reform. This is where they have to prove it.

But here is a point that I think it is important that the Council might like to fasten on — and I put it in the blunt, undiplomatic terms of a representative of a country that makes a major contribution in terms of resources to Bosnia-Herzegovina — why should we continue to provide our taxpayers' money to help their country if they hand so much of it over to criminals, so there is inefficiency in their systems? And our taxpayers are saying that if we are dealing with a new Government of whatever colour and calibre, then a little more direct approach that links the resources that we provide with the reforms that have to be made to tackle corruption and criminality, to set up a value added tax and to reform the customs system might be an appropriate way forward.

The representative of the United States asked me two direct questions, would I be prepared to use the so-called bond powers to counter Dayton-obstructionists and those who break the sanctions on Iraq set up by the United Nations Security Council? The straightforward answer to him is yes, though in the latter of those two it is rather more a matter, it seems to me, for SFOR at the moment, together with the United Nations authorities, to establish whether or not there has been a breach in such sanctions. I stand ready to use my powers to back up any action that they require to deal with a case of a breach of international law as may be revealed.

Jacques Klein will cover the question of whether or not UNMIBH is ready.

On the question of low turn-out, can I just say that this is disappointing to us all, the low turn-out. I have gone all around the country day by day, exhaustively, in order to try to improve turn-out. At 55 per cent. I merely reflect that it is still rather higher than normally found in some of the countries around this table. But let me enter as a thought for the international community. If we descend on nations in the chaos after war and we believe that the first thing we should establish is democracy, and we measure democracy by the number of elections there are, rather than saying that the first thing we should do is establish the rule of law, then do not be surprised if when elections are held every two years or more frequently, the nationals are rather bored with it when they do not see results. If we have inflicted, as we have, on Bosnia-Herzegovina, six elections in six years, giving a Government only two years to conduct the reforms in a massive programme that required radical reform, without giving it time to deliver the dividends of that, then we should not be too surprised if, at the end of the day, people are getting fed up with elections, because they do not see their Governments delivering progress.

My argument remains, and it is not a new one — I said it six years ago when the war ended in Bosnia —

in countries in which we try to establish peace after war our priority should always be the rule of law first and democracy second. Only if you establish the rule of law can you have decent democratic practices.

But the United Kingdom delegate is right. I think we should be taking that as a message to speed up the process of reform. That is how I have read it. That is how others have read it, and that is what we shall now do.

The representative of the United Kingdom asked me two questions: was it possible to put together a "non-nationalist" coalition in the Republika Srpska? The answer is yes. It does depend on, I think Mr. Mladen Ivanić, the ex-Prime Minister of Republika of Srpska. But, numerically, it can be done. Does it matter who forms the new Governments? Of course it does. I look at the manifestos of all the parties, including the most nationalist, and I can find strong commitments to reform in each of them. But that reform will proceed more quickly if those who are known by their actions as reformers are in Government, rather than if those who are not known as reformers are in.

Now it may be that the "nationalist" Governments are committed to reform. But I think it is legitimate for us to say we are rather sceptical in view of what has been seen in the past. We are not dismissing that claim. But we will judge it according to what actions they subsequently take. What I am clear about is that the process of reform cannot now be impeded, though it could be slowed down.

The representative of China mentioned the single economic space and he is absolutely right. Here is a simple fact. If you are a wine grower in Citluk, in Herzegovina, you will find it easier to sell your wine to Berlin than to Banja Luka. We need, as the representative of China said, to carry out the economic reforms to create a single economic space with uniform economic rules, so that we can generate an internal market, before we begin to tackle the question of whether we can pull in external investment.

The representative of Russia mentioned the Dayton Agreement. I can only say to him what I have said previously: that none of the proposals I am making and none of the proposals I intend to make part company with the provisions of Dayton or the Constitution of Bosnia and Herzegovina. Let me, however, say to him that I do not think that he would disagree — and I have discussed this many times with his Ambassador in Sarajevo, to whom, incidentally, I pay tribute as a very close colleague and wise adviser — that we have allowed Dayton to be used by the obstructionists to obstruct too much in the past, and what we have to use are the provisions of Dayton which allow the kind of reforms we are talking about.

Secondly, he talks about the importance of consensus. He is again right. It must always be right to build up consensus. Can I, however, tell the Council what my problem is? I think the representative of Mauritius identified it when he talked about the debt crisis. The reason for the debt crisis is that international aid is on a glide path downwards — and so it should be six years after the war. But, so far, the scleroticism of the economy in Bosnia and Herzegovina has not made it attractive for international investment. The only way to fill that gap of the domestic debt crisis is by international investment.

That debt crisis will start biting very hard by about the spring of 2003. It is unlikely that we will have a Government formed until January or February. It may happen earlier, but I do not believe it necessarily will. It is very probable that we will have to take the steps necessary to reform the economy of Bosnia and Herzegovina in order to attract international investment before the new Government is formed. Now we will seek to do that as far as possible on the basis of consensus, because that is the kind of reform that will stick. But I have to say that Bosnia and Herzegovina does not have time to waste, if lives and businesses are not to be threatened and if social services and teachers are to continue to be paid.

The representative of Bulgaria mentioned customs. I think I said earlier how important that was. We lose huge sums of money — one and a half times the State budget — through failing customs revenue. That, too, is a regional problem.

A few other questions were put to me. The representative of Syria asked about the military. I will ask Jacques to deal with the police. There has to be military reform. It has to stay, as the Russian representative clearly said, within the requirements of the North Atlantic Treaty Organization. But there is room, in my view, to move towards further military reform in order to enable Bosnia and Herzegovina to join Partnership for Peace. I think that it is not an unreasonable target for us to set to say that that could be done within 18 months, provided that there is a

willingness to carry out those reforms, again I stress, strictly within the Dayton construct.

I mentioned the debt crisis, which was raised by Mauritius, but, let me just say that there is a need to fund effectively the State court. Part of its role will be to provide Bosnia and Herzegovina with a domestic capacity to try war crimes. That can be done next year or the year afterwards. What separates those two achievements will be whether or not, and to what extent, the domestic war crimes capacity of the State court is supported by the international community. The less support there is, the longer it will take for Bosnia and Herzegovina to try war crimes in its own backyard.

The European Union asked about the formation of the new Government. Here is the problem: the election has given us a precisely balanced number of seats held by what you might call the nationalist parties and all the rest. That means that, although it is possible for a Government to be formed by the end of this year, I am rather doubtful that it will be. We are probably looking towards January, February or even March before a Government is formed.

Croatia asked, whether there was anything that the Security Council could do on Karadzic and Mladic. Well, the answer is, the sooner we capture and bring to trial both Karadzic and Mladic, the sooner Bosnia will be able to put its past behind it. That is the great act of closure that will enable us to begin to build our future. I am impatient for that to be done. I understand how difficult a military task that is, given the wild nature of the Bosnian countryside. I take comfort in a single fact, and that is that, although the arrest of those two men and their being brought to trial is necessary, and although when it happens the process of reform will speed up, their power is no longer such as to be able to create a complete block on the process of reform. They can slow it down, but they cannot stop it.

I want, finally, if I may, to pay tribute to the point made by the representative of Yugoslavia. One of the things that has made my job immeasurably less difficult, apart from the tremendous foundation laid by Jacques Klein and all my predecessors, is the fact that we have now seen — from Croatia for a longer time, but from Yugoslavia more recently — a kind of regional cooperation that makes it possible for us to solve problems more easily and more quickly. That regional cooperation, which was clearly symbolized by the meeting between the three Presidents, to which the representative of Yugoslavia referred, is one of the most hopeful signs for the future.

I apologize for having taken so long before I hand over to my colleague Jacques Klein. May I sum up simply by saying this. There are those who still regard Bosnia as being a black hole in the Balkans. It is not. The things that have been done as a result of the remarkable support of the United Nations, the international community and Bosnian institutions — and, if I may say, the extraordinary courage of the Bosnian people themselves — have ensured that this country has advanced further from one of the most terrible wars of the second half of the last century in six years than my own country of Northern Ireland has managed in 30.

Some of the things that have been done there are simply miraculous and ought to be understood. If you had sat in the shattered city of Sarajevo, and someone had said that this country, in a mere six years after the war, would have the most stable currency in the Balkans, that there would be complete freedom of movement right across the country, that there would be more than a quarter of a million people moved back to the homes from which they were driven in blood and terror only six years earlier, and that completely peaceful, violence-free elections would have been conducted, then you would have said that that was impossible. But that is what States have achieved. It is a dangerous thing for me to say this, but I think that the worst is now behind us in Bosnia and Herzegovina. The easier task is now ahead. It is not going to be easy, but it is going to be easier. That can be done, but it can be done only if the international community continues to apply the same will and resources to make things happen that is has applied over the past six years.

The President (*spoke in French*): I thank Lord Paddy Ashdown for his clarifications.

I shall now give the floor to Mr. Jacques Paul Klein to respond to questions raised.

Mr. Klein: I am grateful for your generous and kind comments, Mr. President, and for those of everyone else in the Council. I will relay them to the personnel of the Mission, who are, after all, the nationals and the citizens of Council members. I am sure that they will be most appreciative.

With regard to the transition from the United Nations Mission in Bosnia and Herzegovina

(UNMIBH) to the European Union Police Mission (EUPM), it is on track. When we first constructed that notion, we had said very simply that the European Union (EU) was looking for a mission and a mandate somewhere. It is building a construct of some 5,000 policemen. Within UNMIBH, we have 680 European policemen already. So the transition really becomes very simple and very easy. What we recommended to the EU, however, was an expanded EU Police Mission. We said that we felt that there was obviously a role for Norway and Switzerland, which have been extremely generous over the years, and for the Russian Federation and the North Americans for the political umbrella, for Turkey for historical reasons and for others, as well.

That is a direction in which I think the EUPM is going. They are housed in our building. We have that building rent-free for six years. We have a police commissioner now in the United Nations who is a Dane, Commissioner Frederickson, who has had experience in the United Nations Protection Force, Kosovo and Albania. He will serve me as the United Nations Commissioner for six months and then he will revert to the EU in January.

With regard to regional cooperation, I am pleased to say that the Ministers of the Interior of Croatia, Yugoslavia and Bosnia and Herzegovina, basically under a United Nations rubric, have signed an agreement that deals with illegal migration, trafficking, customs violations and other criminal acts. So regional cooperation is working; those are things that would have been impossible during the Tudjman-Milosevic era.

On the issue of Karadzic and Mladic, States need to exert the political will. The mandate of the Stabilization Force (SFOR) is that, if, in the course of its duties, it accidentally runs over Mr. Karadzic and identifies him, it should arrest him. What is needed is a clear signal from the Council and the North Atlantic Council, which says: SFOR must locate, detain, arrest and move to The Hague Radovan Karadzic. That is a mandate it does not now have.

I have always been honest and candid with the Council in the past, and I will continue in that vein today.

The people of Bosnia and Herzegovina must also learn that, if you ride a dead horse, it is not going to take you very far. This is something that they have not quite appreciated yet.

I will tell the Council candidly that the electoral victory of the nationalists was not a defeat for democracy or multi-ethnicity in Bosnia, but it is a recognition that much of what the international community has been doing since Dayton has often been uncoordinated, tempocentric and lacking in strategic planning. The patient has not always been well served by the doctors.

Cobbling together exceptionally weak non-nationalist coalitions that clearly enjoy neither support nor credibility from the core of three ethnic groups has not been the answer. Fractured by inter-coalition rivalry and poor leadership, these coalitions failed themselves and the people they purported to represent.

We have an old Alsatian proverb that says, "If you have to swallow a frog, there is not a whole lot to be gained by staring at it". In that regard, the new High Representative, Paddy Ashdown, has brought much-needed vision, coordination and practical experience to this Office. He has correctly identified the rule of law, job creation and clean Government as his priorities and has taken robust steps, for which I congratulate him, to bring these to the public agenda.

Prudently, from the beginning of his tenure in May, he has stated his support for policies and programmes, not parties and personalities. All the winners of the recent elections, even the nationalists, have committed themselves to reform, that is, making Bosnia and Herzegovina work rather than tearing it apart. With the agenda set, it is now time for the High Representative to use his powers to see this reform through, regardless of which parties are in power.

The vast majority of the people of Bosnia and Herzegovina will support us, and Paddy Ashdown deserves the fullest international support to get that job done.

The President (*spoke in French*): I thank Mr. Klein for the clarifications he has provided.

On behalf of the Security Council, I wish to take this opportunity to express once again our thanks to Lord Ashdown and to Mr. Klein for their briefings.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.40 p.m.